



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 65855-0059

(MBHB Case No. 03-089-B)

(Client Reference No. NNT-01874)

PATENT

#10

In re Application of:

Michael Kapolka, et al.

Serial No.: 10/091,096

Filed: March 4, 2002

For: Remote Monitoring, Configuring,
Programming And Diagnostic System And
Method For Vehicles And Vehicle Components)

Group Art Unit: 3661

Examiner: TBD

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 14 2003

OFFICE OF PETITIONS

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a: Petition to Revive Unintentionally Abandoned Application Under 37C.F.R.§1.137(b);
 - b. Copy of previously submitted Rescission of Previous Nonpublication Request and Notice of Foreign Filing Form showing corrected application filing date; and
 - c: Return Receipt Postcard.
2. With respect to additional fees:
 - a. X Attached is a check in the amount of \$1,300.00.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8th day of May, 2003.

By:

Julian F. Santos

Registration No. 47,917



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OFFICE OF PETITIONS

Sir:

**PETITION TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.137(b), Applicants respectfully submit a petition to revive the above-mentioned patent application. On March 3, 2003, Applicants filed a PCT Application Serial Number US03/06475 and unintentionally failed to file a Request to Rescind the prior nonpublication request within the forty-five day time limit. The entire delay in filing the required request to rescind the prior nonpublication request from the due date until the filing of a grantable petition under 1.137(b) was unintentional.

Enclosed with this petition is a fee as set forth in section 1.17(m), \$1,300.00.

A request to rescind the prior nonpublication and notice of a foreign filing as required pursuant to 35 U.S.C. §122 and 37 C.F.R. was filed on May 7, 2003. Enclosed is a copy of the request. This copy, however, has been amended to show the correct filing date of the above-listed application.

Respectfully submitted,

Dated: May 8, 2003

By:


Julian F. Santos
Reg. No. 47,917

McDONNELL BOEHNEN,
HULBERT & BERGHOFF
300 South Wacker Drive
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(312) 913-0001

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PTO/SB/36 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST**
(35 U.S.C. 122(b)(2)(B)(ii))
**AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING**
(35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:
Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	10/091,096
Filing Date	March 4, 2003-2002
First Named Inventor	Michael Kapolka, et al.
Title	Remote Monitoring, Configuring, Programming and Diagnostic System and Method for Vehicles and Vehicle Components
Atty Docket Number	03-089-B
Group Art Unit	3661
Examiner	TBD

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

May 7, 2003

Date

Signature

312 913 3304

Telephone Number

Julian F. Santos

Typed or printed name

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MAY 14 2003

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

OFFICE OF PETITIONS**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Julian F. Santos		
Signature		Date	May 7, 2003

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.